

Remarks

The Office Action dated October 19, 2007 has been carefully reviewed and the following amendments and comments are made in response thereto. In view of the above amendments and following remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims. Applicants have cancelled all of the withdrawn claims without prejudice or disclaimer of Applicants' right to pursue this cancelled subject matter in one or more divisional applications.

Applicants thank the Examiner for indication that claims 3 and 4 are allowable. In addition, Applicants note that the only rejection to claims 53-56 was an indefiniteness rejection. Specifically, claims 53 and 54 were rejected because they were dependent upon claim 46, which formerly listed "L105" as a mutant. According to the outstanding Office Action, the L105 mutant was indefinite, and Applicants have amended claim 46 to remove the allegedly indefinite claim element. It should follow that claims 53 and 54 would be allowable after the amendment to claim 46. Applicants have thus amended claim 46 to recite all the elements of previously pending claim 53, such that currently amended claim 46 is, in essence, previously pending claim 53. Thus currently amended claim 46 should now be in condition for allowance. In addition, claims dependent upon amended claim 46 should also be allowable.


The previous Office Action rejected claims 55 and 56 only as indefinite. Specifically, claims 55 and 56 were rejected because they allegedly contained a reference to a "L105" as a mutant. Applicants note, however, that claims 55 and 56 did not contain any such reference. Because the erroneous indefiniteness rejection was the only rejection of claims 55 and 56, Applicants submit that these claims are allowable.

In view of the previous direct and indirect indications of allowable subject matter, Applicants have amended claim 46 and have also amended claims 54, 58 and 67 to create proper antecedent basis. In addition, Applicants have now canceled claims 1-2, 5-45, 48-51, 53, 60-66 and 68-69. Applicants note that because the claim amendments are simply introducing claim elements from previously examined claims (or correcting antecedent basis), no new searching or examination would be required to enter the listed claim amendments. Applicants respectfully request that the Examiner enter the claim amendments. In view of the above amendments and following remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of pending claims 3, 4, 46, 47, 52-59 and 67.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

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Respectfully submitted,
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